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GROUP 3600

PATENT

Customer No. 22,852

Attorney Docket No. 7883.0003-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

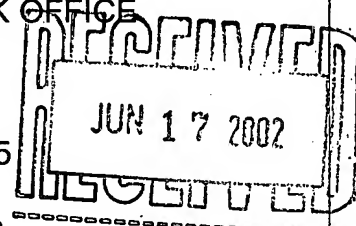
Peter J. WILK

Application No.: 10/062,409

Filed: February 5, 2002

For: CORONARY ARTERY BY-PASS
METHOD

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)
) Group Art Unit: 2165
)
) Examiner: Unknown
)
)
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Assistant Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO 1449. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the documents listed on pages 1-5 of the attached Form PTO 1449 were either previously submitted or cited by the Examiner in at least one of U.S. Application No. 09/315,383, filed May 18, 1999, now U.S. Patent No. 6,363,939; U.S. Application No. 08/893,643, filed July 11, 1997, now U.S. Patent No. 5,908,028; and U.S. Application No. 08/665,950, filed June 19, 1996, now U.S. Patent No. 5,662,124, upon which Applicant relies for the benefits provided in 35 U.S.C. § 120. Therefore, under the provisions of 37 C.F.R. §1.98(d), copies of the those documents are not being submitted herewith. Copies of the documents listed on pages 6-8 of the Form PTO

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1449 are attached. Should the Examiner for any reason need a copy of any of the cited documents, the Examiner is invited to telephone the undersigned at (202) 408-4445 and such copy will be provided.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 31, 2002

By: Susanne T. Jones
Susanne T. Jones
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INFORMATION DISCLOSURE CITATION
(Page 1 of 8)

OMB No. 0651-0011

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Atty. Docket No.	07883.0003-04000	Application No.	10/062,409	JUN 07 2002		
Applicant	Peter J. WILK			GROUP 3600		
Filing Date	February 5, 2002	Group:	2165			
U.S. PATENT DOCUMENTS						
Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
	3,971,363	07/27/76	Fletcher et al.			
	4,469,098	09/1984	Davi			
	4,658,817	04/1987	Hardy			
	4,785,815	11/1988	Cohen			
	4,995,857	02/1991	Arnold			
	4,997,431	03/1991	Isner et al.			
	5,106,386	04/1992	Isner et al.			
	5,111,832	5/1992	Sakesena			
	5,258,008	11/02/93	Wilk			
	5,287,861	02/1994	Wilk			
	5,327,913	07/1994	Taheri			
	5,330,486	07/19/94	Wilk			
	5,389,096	02/14/95	Aita et al.			
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	5,429,144	07/1995	Wilk			
	5,470,320	11/28/95	Tiefenbrun et al.			
	5,554,152	09/10/96	Aita et al.			
	5,662,124	09/02/97	Wilk			
	5,683,366	11/04/97	Eggers et al.			
	5,758,663	06/02/98	Wilk et al.			
	5,810,836	09/22/98	Hussein et al.			
	5,832,929	11/10/98	Rudko et al.			
Examiner				Date Considered		
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					
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GROUP 3600

Atty. Docket No. 07883.0003-04000		Application No. 10/062,409				
Applicant Peter J. Wilk						
Filing Date February 5, 2002		Group: 2165				
U.S. PATENT DOCUMENTS						
Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,860,951	01/19/99	Eggers et al.			
	5,873,855	02/23/99	Eggers et al.			
	5,891,133	04/06/99	Murphy-Chutorian			
	5,908,028	06/01/99	Wilk			
	5,925,033	07/20/99	Aita et al.			
	5,951,541	09/14/99	Simpson et al.			
	5,957,916	09/28/99	Jeevanandam et al.			
	5,989,284	11/23/99	Laufer			
	6,019,756	02/01/00	Mueller et al.			
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	6,032,674	03/07/00	Eggers et al.			
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	6,039,727	03/21/00	Javier, Jr., et al.			
	6,068,638	05/30/00	Makower			
	6,080,163	06/27/00	Hussein et al.			
	6,132,422	10/17/00	Rudko			
	6,132,451	10/17/00	Payne et al.			
FOREIGN PATENT DOCUMENTS						
	Document Number	Date	Country	Class	Sub Class	Translation Yes or No
	WO 96/39964	12/19/96	PCT			
	WO 97/13463	04/17/97	PCT			
	WO 97/13468	04/17/97	PCT			
Examiner			Date Considered			
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FOREIGN PATENT DOCUMENTS						
	Document Number	Date	Country	Class	Sub Class	Translation Yes or No
	WO 97/13471	04/17/97	PCT			
	WO 97/27893	08/07/97	PCT			
	WO 97/27897	08/07/97	PCT			
	WO 97/27898	08/07/97	PCT			
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	WO 97/34540	09/25/97	PCT			
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	0 799 604 A1	10/08/97	EP			
	0 801 928 A1	10/22/97	EP			
	3718139	12/1988	DE			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
	<i>American Medical Association Publication; International Cardiovascular Society, "Myocardial Boring for the Ischemic Heart," A. Wakabayashi, M.D., et al.; Fifteenth Scientific Meeting, Atlantic City, NJ, June 16 and 17, 1967; Archives of Surgery, pp. 743-752, Vol. 95, No. 5, Nov. 1967,</i>					
	<i>American Medical Association Publication; "Myocardial Revascularization Experiments Using the Epicardium," B. G. Lary, M.D., et al.; Archives of Surgery, pp. 69-72, Vol. 98, No. 1, Jan. 1969.</i>					
	<i>The Journal of Thoracic and Cardiovascular Surgery, "Experimental Evaluation of Direct Transventricular Revascularization," L. Kuzela, M.D., et al., pp. 770-773, Vol. 57, January-June 1969, The C.V. Mosby Co., St. Louis, MO.</i>					
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Applicant	Peter J. Wilk		
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	<i>The Journal of Thoracic and Cardiovascular Surgery</i> , "Myocardial Revascularization by a New Method of Carrying Blood Directly from the Left Ventricular Cavity into the Coronary Circulation," C Massimo, M.D., et al., pp. 257-264, August 1957.		
	<i>The Journal of Thoracic and Cardiovascular Surgery</i> , "Experimental Evaluation of Myocardial Tunnelization as a Method of Myocardial Revascularization," I. Anabtawi, M.D., et al., pp. 638-646., November 1969.		
	<i>The Journal of Thoracic and Cardiovascular Surgery</i> , "The Possibility of Myocardial Revascularization by Creation of a Left Ventriculocoronary Artery Fistula," I. Munro, M.D., et al., pp. 25-32., Vol. 58, 1969.		
	<i>The Journal of Thoracic and Cardiovascular Surgery</i> , "Myocardial Revascularization by a New Method of Carrying Blood Directly from the Left Ventricular Cavity into the Coronary Circulation," C. Massimo, M.D., et al., pp. 257-264, Vol. 34, 1957.		
	<i>AJR</i> , "Expandable Intrahepatic Portacaval Shunt Stents in Dogs with Chronic Portal Hypertension," J. Palmaz, et al., pp. 1251-1256, December, 1988.		
	<i>AJR</i> , "Expandable Intrahepatic Portacaval Shunt Stents: Early Experience in the Dog," J. Palmaz, et al., pp. 821-825.		
	<i>American Heart Journal</i> , "Effects of Laser Irradiation Delivered by Flexible Fiberoptic System on the Left Ventricular Internal Myocardium," G. Lee, M.D., et al., pp. 587-590, Vol. 106, No. 3, September 1983.		
	<i>Texas Heart Institute Journal</i> , "Transmyocardial Laser Revascularization," D. Cooley, M.D., et al., pp. 220-224, Vol. 21, No. 3, 1994.		
	<i>American Journal of Physiology</i> , "Transmural Myocardial Perfusion During Restricted Coronary Inflow in the Awake Dog," R. Bache, et al., pp. H645-651, Vol. 232, No. 6 ISSN-0002-9513.		
	<i>The Annals of Thoracic Surgery</i> , "Myocardial Canalization," A. Khazei, M.D., et al., Vol. 6, No. 2, August 1968.		
	<i>Surgical Forum</i> , "Proceedings of the 24th Annual Sessions of the Forum on Fundamental Surgical Problems," 54th Clinical Congress of the American College of Surgeons, Chicago, Illinois, October, 1968," pp. 156-159, American College of Surgeons, Chicago, Illinois.		
	Lee et al., "Effects of Laser Irradiation Delivered by Flexible Fiberoptic System on the Left Ventricular Internal Myocardium", <i>Am Heart J</i> 106(3):587-590, Sept. 1983.		
Examiner	Date Considered		
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OMB No. 0651-0011

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(Page 5 of 8)

Atty. Docket No.	07883.0003-04000	Application No.	10/062,409
Applicant	Peter J. Wilk		
Filing Date	February 5, 2002	Group:	2165
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	Isner et al., Lasers: their Potential in Cardiovascular Medicine, Cardiovascular Medicine 1985, 23-37, May 1985.		
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Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
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	5,143,093	09/1992	Sahota			
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OMB No. 0651-0011

Atty. Docket No. 07883.0003-04000		Application No. 010/062,409		RECEIVED		
Applicant Peter J. WILK		JUN 07 2002				
Filing Date February 5, 2002		Group: 2165		GROUP 3600		
U.S. PATENT DOCUMENTS						
Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
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	6,080,170	06/2000	Nash et al.			
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	6,315,774	11/2001	Daniel et al.			
	6,363,939	4/2002	Wilk			
	6,375,615	04/2002	Flaherty et al.			
	6,379,319	04/2002	Garibotto et al.			
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Applicant	Peter J. WILK			JUN 0-7 2002		
Filing Date	February 5, 2002	Group:	2165	GROUP 3600		
U.S. PATENT APPLICATION PUBLICATIONS						
	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	2001/0047165 A1	11/2001	Makower et al.			
	2002/0002349 A1	01/2002	Flaherty et al.			
	2002/0029079 A1	03/2002	Kim et al.			
FOREIGN PATENT DOCUMENTS						
	Document Number	Date	Country	Class	Sub Class	Translation Yes or No
	WO 96/35469	11/1996	PCT			
	WO 96/39962	12/1996	PCT			
	WO 97/18768	05/1997	PCT			
	WO 98/16161	04/1998	PCT			
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	0 876 795 A2	11/1998	EP			
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
	Tweden et al., "Ventriculocoronary Artery Bypass (VCAB), a Novel Approach to Myocardial Revascularization", 6 pages, #2000-4653, February 2000.					
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